

United States Senate

July 10, 2019

The Honorable Margaret Weichert
Acting Director
U.S. Office of Personnel Management
1900 E Street, NW
Washington, DC 20415

Dear Acting Director Weichert:

We write with concern that the Administration intends to issue furlough notices to approximately 150 employees at the Office of Personnel Management (OPM) due to an apparent budget gap. We encourage the Administration to work with Congress on a solution that does not hurt federal workers, and urge you to avoid linking employment decisions to unrelated policy matters.

According to the Administration, at its current appropriation level, OPM faces a budget shortfall of \$69 million (\$23 million after adjustments) in Fiscal Year (FY) 2020 due to the transfer of background investigations to the Department of Defense (DOD). To fill this gap, OPM has indicated that it intends to issue furlough notices in August—likely before OPM has a final appropriation for FY 2020—absent unspecified Congressional action.¹ Recent reporting indicates that OPM may be reassessing, but is still considering, furloughs of federal employees.²

These actions are premature and unnecessary. Congress has yet to finalize a FY 2020 appropriations bill, and the only such publicly available legislation (H.R. 3351) more than makes up for this budget gap. Further, in a briefing to Congressional staff, OPM acknowledged that it has not conducted a full analysis of its own resources and how these could be used to address short-term budget shortfalls.³ These steps must be taken before OPM takes the drastic step of furloughing, and possibly laying off, hard-working federal employees who were already forced to go without pay while furloughed earlier this year.

We are concerned by the Administration's delay in alerting Congress to the scope of this issue, particularly as OPM has known about the pending transfer of functions to DOD since at least 2017.⁴ We are further concerned that this premature announcement could worsen OPM's

¹ Office of Personnel Management, *Untitled Document Regarding OPM FY 2020 Funding* (June 2019).

² *OPM Doesn't Anticipate Furloughs in October*, Government Executive (June 28, 2019) (<https://www.govexec.com/workforce/2019/06/opm-doesnt-anticipate-furloughs-october/158108/>).

³ Office of Personnel Management and Office of Management and Budget, Briefing with Senate Committee on Homeland Security and Governmental Affairs, Senate Committee on Appropriations, House Committee on Oversight and Reform, and House Committee on Appropriations staff (June 13, 2019).

⁴ National Defense Authorization Act of 2018, Pub. L. 115-91, Sec. 925.

The Honorable Margaret Weichert
July 10, 2019
Page 2

ongoing workforce attrition issues. And we are particularly troubled by the Administration's linking of this budget gap and a proposed reorganization of OPM.

The Administration has proposed dissolving OPM, transferring most of its functions to the General Services Administration (GSA) while moving its policy function to the Office of Management and Budget (OMB). OPM is the lead human resources agency for the federal government. Among its many services, the agency manages a retirement program that covers more than 2.4 million active employees, provides health insurance coverage to over 8 million Americans, and offers resources and guidance for the entirety of the federal government, ensuring that the civil servants that keep our country running are well-supported.

Despite months of Congressional requests, the Administration has failed to provide evidence that a proposed merger would save taxpayer dollars or benefit the civil service. OPM has also been unable to provide any evidence that a merger, even if completed in FY 2020, would have any impact on this budget gap. Any reorganization of major governmental functions – particularly functions that impact millions of federal employees, retirees, and their families – must be undertaken carefully and methodically, not rushed in response to an arbitrary and unrelated deadline.

Federal employees provide critical services to the American people, and any action that impacts civil servants' livelihoods must be taken only as a last resort. To that end, we ask that, no later than July 24, 2019, your staff provide a briefing to our offices regarding alternative options for OPM to address its budgetary needs in FY 2020. Please have your staff contact Yelena Tsilker with the Homeland Security and Governmental Affairs Committee minority staff at Yelena_Tsilker@hsgac.senate.gov or Nikki McKinney with the Health, Education, Labor and Pensions Committee minority staff at Nikki_McKinney@help.senate.gov with correspondence related to this request.

We look forward to working with you in order to ensure that OPM has the resources it needs, without causing unnecessary pain and uncertainty to federal employees and their families.

Sincerely,



Gary C. Peters
Ranking Member, Committee on
Homeland Security and
Governmental Affairs



Patty Murray
Ranking Member, Committee on
Health, Education, Labor and Pensions